




Speech By
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STRENGTHENING COMMUNITY SAFETY BILL

 **Dr MacMAHON** (South Brisbane—Grn) (4.09 pm): I rise to give my contribution to the debate on the Strengthening Community Safety Bill 2023. People deserve to feel safe in their homes, in their workplaces and when travelling to work or school. Everyone deserves to know that when they go to sleep at night they will be safe and secure in their homes. That is what we want for every Queenslanders. I acknowledge that many Queenslanders do not feel that they can enjoy that safety and security. We fully welcome the investigation into further support for victims of crime.

Based on the evidence, these changes to youth justice laws will mean more crime and more broken lives. The government already knows this. Labor knows this because their own youth justice strategy says it. It states—

... detention separates children and young people from important relationships including families. It exposes them to negative peers and increases their risk of further custody. Detention makes it harder to return to education and limits future employment opportunities.

Prisons destroy children's lives, make children more likely to commit further crimes and separate children from their families, their communities and those who can support them. Between 2017 and 2021, Victoria, which has a much larger population than Queensland, incarcerated 4,000 fewer children than Queensland. Queensland has the toughest youth justice laws in the country and if prisons worked then we would see lower rates of youth crime and less offending than Victoria, but we do not.

In this bill, Labor is creating a breach of bail offence for children despite being warned by the experts that children have a much more limited capacity to abide by bail conditions given that they often have no access to transport or secure and safe places to live. Labor is permitting courts to disregard sentencing principles for children mandating that when a child breaches a conditional release order—God forbid a 12-year-old misses an appointment—the court is to send them back to prison. They are also extending the use of electronic tracking bracelets for children. However, youth crime is not a problem caused by a lack of prisons or types of sentencing or bail conditions or a lack of police. It will not be fixed by spending millions of dollars on two new youth prisons. It will not be fixed by filling those prisons with hundreds of children.

Instead of listening to people on the ground and instead of looking at the research, Labor is taking its youth justice policy from the LNP. It seems as if the Premier and the Attorney-General found some notes in a drawer in one of the ministerial wings, left behind by Campbell Newman and the member for Kawana during the last LNP government, and thought, 'These look all right, but how can we make them worse?' Labor is knowingly overriding its own Human Rights Act on four occasions and, by its own admission, it is denying children the right to criminal proceedings that are age appropriate and that promote rehabilitation.

What the evidence makes clear is that youth crime is a housing problem, it is an education problem, it is a healthcare problem, it is a lack of social services problem and it is a substance abuse problem. Youth crime is the result of a cycle of poverty and trauma, which prisons only accelerate. As

over 40 Queensland organisations have said in an open letter, 'We can never imprison our way to a safer community.' I table that letter.

Tabled paper: Document, undated, titled 'Our open letter to the Queensland Parliament: Stop youth crime—Get smarter not tougher' [319](#).

Frontline organisations are saying that we need to focus on the wellbeing of our youth, on teachers and schools, on housing, on poverty, on food security, on tackling alcohol and drug addiction, on mental health and on First Nations solutions to supporting young people. There might be only two of us in this building who are willing to stand up against this authoritarian, poor-hating and, frankly, racist legislation, but if Labor wants to continue to dress in the LNP's clothes and continue to borrow Campbell Newman's policies and continue to ignore human rights then there will be lots more of us here in 2024. I guarantee that.

As frontline organisations have said, we can never imprison our way to a safer community. We have repeatedly heard from inquiries, journalists and police whistleblowers that children are abused and sexually assaulted in prisons. This bill will mean more children will be abused and not rehabilitated. They will never be reintegrated into education. They will not find employment and, as a result, will be further criminalised throughout their lives. Some of those children will have committed crimes with tragic consequences and to their victims and their families we acknowledge your immense pain. Your hurt is our failure. It is the failure of governments to create communities where children do not hurt each other or others. However, these laws will not fix that problem; they will make things worse because, just as we have failed victims of crime and their families, we have failed those children. Those children are disproportionately poor, have suffered violence, sexual abuse, alcoholism and addiction. They have gone hungry when they should have been fed and homeless when they should have been housed.

Unlike both Labor and the LNP, who are lining up on this race to the bottom, many Queenslanders are working on the front line to support young people to stay out of the criminal justice system and to support their families. Those people have made their position on this bill very clear: it will not work. However, there are plenty of alternatives that will make our communities safer. In January, over 40 organisations published an open letter urging this government to acknowledge that locking up children does not free communities from crime. They include organisations such as Relationships Australia, QCOSS, Sisters Inside, Anglicare, the Palm Island Community Co., Women's Health and Equality Queensland and PeakCare. Their letter stresses that, more than any other age group, children are the victims of crime. They state—

Many of the children who find themselves on the wrong side of the law have been victims of crimes far more serious than the offences they have committed.

The letter tells the government to get out of the way and let First Nations leaders design and manage responses to youth crime within their communities. It tells the government to properly resource our teachers and schools. It tells the government to take account of children's disabilities and mental health concerns, tackle social problems, focus on accountability measures that actually work and divert children from the criminal justice system, particularly those under the age of 14. Those communities do not need their children taken away and put in prisons. They need more money put into vulnerable communities. I feel sorry for those communities whose representatives have been rabidly fighting this week to lock up children instead of fighting for real solutions.

In First Nations communities youth crime cannot be separated from the historical injustices of colonialism, which began with invasion, land theft and genocide. The resulting intergenerational inequalities and trauma persist. I think everyone in this chamber would agree. In Queensland, two in every three children locked up are First Nations. Queensland locks up First Nations youth at 20 times the rate of non-Indigenous kids. We punish Indigenous kids and their families for historical injustices committed against First Nations people and the failure of successive governments to give those kids equal opportunities.

In their submission, the Cape York Institute made it plain that this bill undermines Indigenous-led community approaches. It undermines the work of First Nations organisations that are creating solutions that lead to better outcomes for victims, perpetrators and communities. The Cape York Institute said that, instead of listening to First Nations people who are calling for more support and the expansion of these initiatives, the government will be making the issues worse. It is jarring that, in the same week that the government introduced its Path to Treaty legislation, which was a moment of goodwill that will pave the way for First Nations communities to get a real say in their lives and futures, the government also introduced this rushed legislation that overrides human rights and will see more kids in prisons.

I also touch on the role of the education system. The open letter I referenced earlier states—

Non-attendance at schools and high rates of suspensions and exclusions are frequent precursors to children's involvement with the youth justice system. Better resourcing of teachers and schools with the programs and supports they need to keep children engaged in schooling will help stop problems before they start.

Many community advocates have raised the issue of school disciplinary absences and school expulsions. First Nations and disabled students are particularly affected by this. They are excluded from the school system at much higher rates, making those young people much more likely to fall into the justice system. There is no legislation governing how school expulsions occur, including time frames, processes, how many students or how often they can be expelled. There is no legislation requiring students who are expelled to be connected to alternative education systems. Our education system is vital in keeping kids out of the criminal justice system and it is vital in supporting First Nations students and students with a disability.

In closing, we have a proposal before us that will criminalise young people and place already suffering communities at even more disadvantage. The Greens will not be supporting this bill.